



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

March 12, 2013

Ms. Angela Moss
Pike County Zoning Administrator
121 East Washington
Pittsfield, Illinois 62363

Mr. Matthew Kunz
EBI Consulting
253 Meadow Drive
Genoa City, Wisconsin 53128

**Re: Kinderhook Self Support Telecommunication Tower, Equipment Shelter, and External Generator - Kinderhook
Endangered Species Consultation Program
Project Number(s): 1308851
County: Pike**

Dear Ms. Moss and Mr. Kunz:

The Department received a submission from EBI Consulting, via the Department's Ecological Compliance Assessment Tool (EcoCAT) website, on behalf of Pike County, regarding this project in Section 7, Township 4 South, Range 6 West for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project involves the construction of a 265-foot self-support lattice tower, equipment shelter, and external generator placed within a fenced area that measures 100' x 100'. An electrical transformer and fiber optic hand-hole will be constructed adjacent to the fenced compound as well as improvement of an existing access road.

The project is located south and west of two records for the State-listed endangered **Northern Harrier**, *Circus cyaneus*. This raptor is a frequent migrant through Pike County; while many sources indicate the species needs large open areas of habitat, Illinois studies have demonstrated this hawk can use relatively small patches of habitat for successful breeding, especially in the vicinity of larger habitat areas. The Department has completed its review of the project and determined that the action may have an adverse impact on nesting or juvenile Northern Harriers, since this species inhabits an area close to the proposed project. To minimize potential impacts, the Department recommends that Pike County incorporate the following measures in its project authorization.

Recommendation #1. All on-site personnel involved in the project should be educated on how to recognize this species. Color photos (of adults and juveniles) and educational materials regarding this species should be distributed, discussed at pre-construction meetings, and displayed at work zones.

Recommendation #2. The Department would like to stress that if Northern Harriers are seen, or encountered, during the construction phase, or during maintenance activities, there is the potential for incidental take to occur. If a population of the Northern Harrier is confirmed within or near the project footprint, work must immediately stop, and the County should consider obtaining Incidental Take Authorization from the Department's Office of Resource Conservation, pursuant to 520 ILCS 10/5.5.

Recommendation #3. If any Harriers are seen, or encountered, on or near the project's footprint, immediately contact Dean Corgiat, IDNR District Heritage Biologist, (217/653-6969) *keeping in mind it is a criminal act for anyone to handle, or move, a listed species unless Incidental Take Authorization has been permitted.* Personnel on site should watch the species until the proper authority arrives to handle the situation.

Recommendation #4. The Department recommends that construction be delayed until August, after the breeding and nesting season and after young Harriers have fledged.

Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), Pike County must notify the Department of its decision regarding these recommendations, whether they will:

- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resources review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected species are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this consultation review.

Cordially,



Kathi Davis
Division of Ecosystems and Environment
Impact Assessment Section
Office of Realty & Environmental Planning
217-785-5500

cc: Dean Corgiat, IDNR/Region IV/Natural Heritage
Tim Krumwiede, IDNR/District 21/Wildlife